

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DISTRICT ATTORNEY OF NEW YORK COUNTY,

Plaintiff,

-v.-

THE REPUBLIC OF THE PHILIPPINES, *et al.*

Defendants.

14 CV 890 (KPF)

**NOTICE OF MOTION FOR
RECONSIDERATION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated April 6, 2018, and all prior submissions made in connection with the motions that are now the subject of this motion for reconsideration, and upon all prior pleadings and proceedings hereto had herein, defendant Jose Duran, on his Behalf and as Representative Of A Class Of Judgment Creditors Of Imelda Marcos, Ferdinand R. Marcos And The Estate Of Ferdinand E. Marcos ("Jose Duran") will move this Court, pursuant to Local Rule 6.3, before the Honorable Katherine Polk Failla, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for reconsideration of the Opinion and Order filed March 29, 2018 (Docket No. 429) and seek an Order granting the following relief:

1. Dismissing, as time-barred and not subject to equitable tolling, the constructive trust claim of Golden Budha Corporation and the Estate of Roger Roxas;
2. Dismissing, as time-barred and not subject to equitable tolling, the claims of the Republic of the Philippines, other than the claim made under

Executive Law § 632-a(3); and

3. Dismissing the claim made by the Republic of the Philippines under Executive Law § 632-a(3) by reason of the reversal of the underlying criminal conviction that underlies that claim.

PLEASE TAKE FURTHER NOTICE that Jose Duran respectfully requests that oral argument be heard at the conference scheduled at 2:00 p.m. on May 3, 2018.

Dated: New York, New York April 6, 2018

By: /s/ Philip Raible

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cc: All Counsel (VIA PACER)